

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Joseph Ernest Smith,)	C/A No. 2:10-2063-JFA-BHH
)	
Plaintiff,)	
v.)	ORDER
)	
Jon Ozmint, Director; Cecilia Reynolds,)	
Warden Kershaw Correctional SCDC;)	
Jerry Washington, Associate Warden)	
Kershaw Correctional SCDC; Darren)	
Seward, Major Kershaw Correctional)	
SCDC; Samantha Gardner, Mental)	
Health Kershaw Correctional SCDC;)	
John Lagrande, Officer Kershaw)	
Correctional SCDC; Priscilla Hough,)	
Grievance Coordinator Kershaw)	
Correctional SCDC; and Kristopher)	
Sweet, Sargent Kershaw Correctional)	
SCDC,)	
)	
Defendants.)	
)	

The *pro se* plaintiff brings this action pursuant to 42 U.S.C. § 1983 setting forth various complaints that his constitutional rights were violated.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation and opines that the defendants' motion for summary judgment should be

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

granted. Specifically, the Magistrate Judge finds that the plaintiff has not exhausted any of his administrative remedies except for those related to plaintiff's mental health treatment. On the claim regarding mental health, the Magistrate Judge opines that summary judgment should be granted in favor of the defendants. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

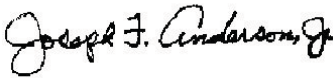
On March 1, 2012, the plaintiff was mailed a copy of the Report and Recommendation, which was filed on that same day, and advised of his right to file objections to the Report. However, the plaintiff has not filed objections and the time within which to do so has now expired. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The Report is incorporated herein by reference.

Accordingly, the defendants' motion for summary judgment is granted, and this action is dismissed with prejudice.

IT IS SO ORDERED.

March 29, 2012
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge